

REPORT BY THE HEAD OF PLANNING, PUBLIC PROTECTION AND COUNTRYSIDE SERVICES

PLANNING CONDITIONS REPORT: APPLICATION REFERENCE NUMBER 47/2023/0708

Former Rhyl Rugby Club, Waen Road, Rhuddlan, Rhyl,

1. PURPOSE OF THIS REPORT:

1.1 Members will recall that planning application reference: 47/2023/0708 was discussed at the February Planning Committee meeting.

1.2 The application related to the change of use of land and existing club building to form glamping site including the siting of 9 glamping pods, relocation of existing access, formation of internal roads and pathways, installation of 2 No. package treatment plants and associated works.

1.3 Committee resolved to grant planning permission contrary to Officers recommendation, subject to the planning conditions being brought back to Committee for approval.

1.4 This report seeks Members approval on the conditions to be imposed on the planning consent.

2. PROPOSED CONDITIONS:

2.1 Having regard to the nature and scale of the development, advice of statutory consultees and the resolution of Planning Committee, Officers would propose the following conditions and advisory notes should be imposed on the planning consent:

1. The development to which this permission relates shall be begun no later than **INSERT DATE**

Reason: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990.

2. The development hereby permitted shall be carried out in strict accordance with details shown on the following submitted plans and documents unless specified as otherwise within any other condition pursuant to this permission:

(i) Existing Site Location Plan (Drawing No. 21Y.A001 Rev P02) - Received 9 November 2023

(ii) Agricultural Land Classification Plan (Drawing No. 21Y.A002 Rev P02) - Received 9 November 2023

(iii) Existing Site Plan 1 of 2 (Drawing No. 21Y.A003 Rev P02) - Received 9 November 2023

(iv) Existing Site Plan 2 of 2 (Drawing No. 21Y.A004 Rev P02) - Received 9 November 2023

(v) Club House - Existing Ground Floor Plan (Drawing No. 21Y.A0009 Rev P01) - Received 9 November 2023

(vi) Club House - Existing Roof Plan (Drawing No. 21Y.A010 Rev P01) - Received 9 November 2023

(vii) Club House - Existing Elevations (Drawing No. 21Y.A011 Rev P01) - Received 9 November 2023

(viii) Proposed Site Location Plan (Drawing No. 21Y.A005 Rev P02) - Received 9 November 2023

(ix) Proposed Site Plan 1 of 2 (Drawing No. 21Y.A006 Rev P02) - Received 9 November 2023

(x) Proposed Site Plan 2 of 2 (Drawing No. 21Y.A007 Rev P02) - Received 9 November 2023

(xi) Club House - Proposed Ground Floor Plan (Drawing No. 21Y.A012 Rev P01) - Received 9 November 2023

(xii) Club House - Proposed Roof Plan (Drawing No. 21Y.A013 Rev P01) - Received 9 November 2023

- (xiii) Club House - Proposed Elevations (Drawing No. 21Y.A014 Rev P01) - Received 9 November 2023
- (xiv) Glamping Unit - Proposed Plans and Elevations (Drawing No. 21Y.A008 Rev P02) - Received 9 November 2023
- (xv) Planning, Design and Assess Statement (Rev P01) - Received 9 November 2023
- (xvi) Ecological Appraisal (Ver 1, PJ Ecological Solutions Dated Sept 2024) - Received 2 October 2024
- (xvii) Protected Species Survey - Bats (Ver 1, PJ Ecological Solutions Dated Sept 2024) - Received 2 October 2024
- (xviii) Protected Species Survey - Greater Crested Newts (Ver 1, PJ Ecological Solutions Dated Sept 2024) - Received 2 October 2024
- (xix) Business plan – Received 8 January 2025

Reason: For the avoidance of doubt and to ensure a satisfactory standard of development.

PRECOMMENCEMENT CONDITION

3. Notwithstanding the hereby approved plans, prior to the commencement of development or site clearance, a detailed hard landscaping scheme, shall be submitted to, and approved in writing by the Local Planning Authority. The scheme shall include details of:

- (a) proposed materials to be used on the new access and parking area, paths and other hard surfaced areas.
- (b) proposed earthworks, grading and mounding of land and changes in levels, final contours and the relationship of proposed mounding to existing vegetation and surrounding landform.

The development shall proceed strictly in accordance with those details as approved and the hard landscaping scheme shall be implemented in full prior to the use of the site commences.

Reason: In order to ensure a satisfactory appearance to the development.

4. No development, including site clearance, shall commence until a Great Crested Newt Conservation Plan has been submitted to and approved in writing by the Local Planning Authority. The Conservation Plan should build upon the principles outlined in the ecology report and include, but not necessarily be limited to:

Further details concerning mitigation and compensation measures including plans:

- Details of timing, phasing and duration of construction activities and conservation measures,
- A timetable for implementation demonstrating that works are aligned with the proposed phasing of the development,
- The submission of updated details and plan concerning GCN avoidance and mitigation measures including fence construction and maintenance,
- GCN Compensation measures (i.e. dedicated area together with habitats being retained, enhanced and created,
- Management and Monitoring Plan for the dedicated amphibian conservation area,
- Measures to address any incidental capture/killing of GCN (and other amphibians in roadside gully pots),
- Persons responsible for implementing the works.

The Conservation Plan shall be carried out in accordance with the approved details.

Reason: To ensure that great crested newts are protected by the development.

5. The development shall be carried out strictly in accordance with the measures set out in Section 4.2. of the Ecological Appraisal (P J Ecological Solutions, September 2024).

Reason: To maintain the favourable conservation status of protected species.

6. No development shall take place until a scheme for biodiversity enhancement has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include a minimum of 300m of new native species-rich hedgerow, 150 fruiting trees, a native wildflower meadow, 9 bird boxes of various specifications, 3 bat boxes of various specifications, and refugia/hibernacula, as detailed within Section 4.1.3 and 4.2 of the approved Ecological Appraisal (P J Ecological Solutions, September 2024), and within the Green Infrastructure Statement (P J Ecological Solutions, September 2024). Full details shall be provided on the locations and specifications of each enhancement feature and shown on appropriate plans and shall include a timeframe for their implementation and a management plan of appropriate duration. The development shall be carried out strictly in accordance with the approved details and shall be implemented in full prior to the use hereby permitted commencing.

Reason: In order to maintain and enhance biodiversity

7. Prior to the commencement of the development, details of an Ecological Compliance Audit (ECA) for the scheme shall be submitted to and approved in writing by the Local Planning Authority.

The Audit shall be completed in accordance with the submitted details.

Reason: In the interest of preserving ecological interests.

8. Notwithstanding the hereby approved plans and documents, an external lighting/internal light spillage scheme designed to avoid negative impacts on bats, shall be submitted to and approved in writing by the Local Planning Authority. This shall include plans illustrating the location and type of existing and proposed external/internal lighting in relation to any biodiversity enhancement features and have regard to any retained or proposed features planned for bats functional use in foraging/dispersal purposes. The scheme shall be carried out strictly in accordance with the approved details.

Reason: To maintain the favourable conservation status of protected bat species

9. All planting comprised in the details of biodiversity enhancement shall be carried out no later than the first planting and seeding season following the commencement of development. Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless otherwise agreed in writing.

Reason: In the interests of visual amenity

10. All trees and hedges to be retained (including those adjacent to the site) as part of the development hereby permitted shall be protected during site clearance and throughout the course of the development by a fence one metre from the outermost limit of the root protection area (in accordance with BS5837:2012 Trees in Relation to Design, Demolition and Construction - Recommendations). No construction materials or articles of any description shall be burnt or placed on the ground that lies between a tree trunk or hedgerow and such fencing, nor within these areas shall the existing ground level be raised or lowered, or any trenches or pipe runs excavated, without prior written consent of the Local Planning Authority.

Reason: In the interest of visual amenity and enhancing the biodiversity of the area.

11. Prior to the remainder of the site, or part thereof (as outlined in blue on the submitted site plans) recommences as sports pitches, a detailed plan showing parking arrangements (including location, layout and construction details) shall be submitted to and approved in writing by the local planning authority. The use of the site as sports pitches shall not commence until such time as those approved parking details are approved in full.

Reason: In this interest of providing off road parking to ensure the safe and free flow of traffic on the public highway.

12. No site clearance or construction works shall be permitted to commence until the written approval of the Local Planning Authority has been obtained to a detailed Construction Method Statement. The Statement shall provide details of:

- a) the arrangements for the parking of vehicles of site operatives and visitors;
- b) the location of any construction compound and measures to reinstate the land following completion of the works;
- c) the hours of site works and deliveries;
- d) the proposed routing of delivery vehicles, and directional signing along public roads where necessary;
- e) the location of areas designated for the loading, unloading, and storage of plant and materials;
- f) pollution prevention and control measures, including measures to control the emission of dust and dirt, and to prevent pollution of watercourses;

The development shall be carried out strictly in accordance with the approved elements of the Construction Method Statement throughout the construction period.

Reason: In the interests of protecting public and residential amenity, pollution prevention and control, and of the safety and the free flow of traffic on the adjoining highway.

13. None of the holiday accommodation units/ buildings hereby approved shall be occupied as a sole or main residence at any time. A record shall be kept of all occupiers of the units and shall be made available for inspection at the reasonable request of the Local Planning Authority.

Reason: The development is permitted for holiday accommodation only, in the interest of compliance with rural restraints policy.

Notes to applicant:

COMPLIANCE WITH APPROVED PLANS AND CONDITIONS

Please be reminded that any permission or consent must be carried out strictly in accordance with the approved plans and conditions imposed which are clearly listed on this certificate of decision. Pre-Commencement conditions should be given particular attention. Failure to do so could result in enforcement action being taken by the Local Planning Authority.

Further detailed information on how to comply along with other relevant information relating to your decision is contained in the detailed Notes to Applicant attached to this certificate which you are strongly advised to consider.

If you are in any doubt about your obligations, including any obligation you may have to pay commuted sums, please contact the Local Planning Authority at planning@denbighshire.gov.uk quoting the reference of your planning permission.

SUDS

SUDS Approval required

Developments of more than a single dwelling, or those involving a construction area of more than 100sq.m may be subject to the Sustainable Urban Drainage approval process. Denbighshire County Council is the appointed SuDS Approval Body, contact 01824 706901 or email landdrainage.consultations@denbighshire.gov.uk

Detailed information and advice is available on the Councils website:

<https://www.denbighshire.gov.uk/en/resident/planning-and-building-regulations/planning/sustainable-drainagesystems-suds/sustainable-drainage-systems-suds.aspx>

BB BOXES (edited)

Bat&Bird Boxes

Planning Policy Wales (PPW) 11 (2021) recommends that biodiversity and ecosystem resilience considerations should be taken into account in development proposals. It would therefore be recommended that biodiversity enhancement measures are incorporated into this development in the form of the provision of bird boxes/ bat boxes.

You are advised to discuss this detailed with a suitably qualified Ecologist.

BAT LITE2

Bat External Lighting

Any external lighting should be sensitively designed to reduce impacts on nocturnal wildlife. All lighting should be angled downwards and installed with a protective cowl to reduce light spillage.

Guidance is set out in Guidance Note 08/18 Bats and Artificial Lighting in the UK (2018) published by the Bat Conservation Trust & The Institute for Lighting Professionals. A warm white spectrum (ideally <2700Kelvin) should be adopted to reduce blue light component. Luminaires should feature peak wavelengths higher than 550nm to avoid the component of light most disturbing to bats. The document can be found at <https://www.bats.org.uk/news/2018/09/new-guidance-on-bats-and-lighting>

BIOGEN 3

Protected species general note bird nests

Works which could result in the damage or destruction of active bird nests should take place outside the of the bird breeding season (March - August, inclusive) or immediately following a nesting bird check conducted by a suitably qualified ecologist.

LANDSCAPING

Regarding Condition 3, a full plant list is required for the landscaping scheme. No species listed on Schedule 9 of the Wildlife and Countryside Act (1981), as amended, or species listed on the Invasive Alien Species of Union concern (EU Regulation 1143/2014 on invasive alien species) should be included in the planting list.

3. RESOLUTION:

3.1 To approve the conditions and advisory notes set out in Section 2 above for inclusion on the Decision Notice.

EMLYN JONES HEAD OF PLANNING, PUBLIC PROTECTION AND COUNTYSIDE SERVICE